IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.1060 OF 2003

The State of Maharashtra ...Appellant

Vs.

Ramchandra Somnath Nagpure ...Respondent

Shri S.V.More, A.P.P for the Appellant.

Shri Ajay A. Joshi for the Respondent.

CORAM : A. S. OKA, J.
DATE : OCTOBER 13, 2006.

P.C.:

1. Heard the learned A.P.P on the prayer for grant of leave to prefer an Appeal. The learned Trial Judge has convicted the Respondent for the offence punishable under section 420 of the Indian Penal Code and instead sentencing him, he has released the Respondent on admonition as per section 3 of the Probation of Offenders Act, 1958. Moreover, the Respondent has been directed to pay compensation of Rs.15,000/- to the complainant. The order impugned has been passed on 25th May, 1999. Shri Joshi appearing for the Respondent states that the Respondent has accepted the order and has not challenged the same till today.

2. The learned Trial Judge has given reasons for granting benefit of the Probation of Offenders Act to

the Respondent. For the reasons which are recorded in the judgment, he has exercised discretion. He has held that there are no criminal antecedents of the Respondent. I find no fault in the approach of the learned Trial Judge. In view of decision of the Apex Court in the case of **Keshav Sitaram Sali Vs. State of Maharashtra (AIR 1983 Supreme Court Page 291)**, no case is made out for grant of leave. Appeal is dismissed.

JUDGE